

UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

CRAIG DOUGLAS ALLEN,

Plaintiff,

v.

CITRUS HEIGHTS POLICE DEPT., et al.,

Defendants.

No. 2:20-cv-1853-JAM-KJN PS

ORDER

(ECF No. 3)

On September 18, 2020, the magistrate judge filed findings and recommendations (ECF No. 3), which were served on the parties and which contained notice that any objections to the findings and recommendations were to be filed within fourteen (14) days. No objections were filed. Accordingly, the court presumes that any findings of fact are correct. See Orand v. United States, 602 F.2d 207, 208 (9th Cir. 1979). The magistrate judge's conclusions of law are reviewed de novo. See Britt v. Simi Valley Unified School Dist., 708 F.2d 452, 454 (9th Cir. 1983).

The court has reviewed the applicable legal standards and, good cause appearing, concludes that it is appropriate to adopt the findings and recommendations in full. Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations (ECF No. 3) are ADOPTED IN FULL;

- 1 2. Plaintiff's motion to proceed in forma pauperis (ECF No. 2) is DENIED;
- 2 3. Plaintiff shall pay the applicable filing fee on a monthly payment plan, at \$50 per month,
- 3 due on the first of each month starting November 1, 2020. After plaintiff has satisfied the
- 4 filing fee of \$400, the clerk of the court shall issue the appropriate service documents and
- 5 scheduling orders; and
- 6 4. Plaintiff is informed that a failure to timely pay the filing fee by the first of each month, or
- 7 timely request an extension of time to do so, may result in dismissal of the action pursuant
- 8 to Federal Rule of Civil Procedure 41(b).

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10 DATED: October 14, 2020

/s/ John A. Mendez

11 THE HONORABLE JOHN A. MENDEZ
12 UNITED STATES DISTRICT COURT JUDGE

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